

REMARKS/ARGUMENTS

1. Objection to the abstract of the disclosure:

5 The abstract of the disclosure is objected to because it has been drafted as one
long run-on sentence, much like claim 1, which is improper.

Response:

10 The abstract of the disclosure has been amended as shown in the Amendments
to the Specification section above. Acceptance of the amended abstract is
respectfully requested.

2. Objection to the claims:

 Claim 1 is objected to because in line 7, "part of the examine" should be "part
of the examinee". Appropriate correction is required.

15 **Response:**

 Claim 1 has been amended to correct this informality. In addition, claim 3 has
been amended to correct a grammatical error. Acceptance of the amended claims is
respectfully requested.

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3. Rejection of claims 1-5 under 35 U.S.C. 112, first paragraph:

 Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph as failing to
comply with the enablement requirement.

Response:

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 The applicant would like to point out how claims 1 and 3 satisfy the enablement
requirement. As mentioned in paragraphs [0026] and [0031] of the specification, the

pressure in a vein is less than the pressure in an artery, so pressure of the belt 31 is kept between the venous pressure and the diastolic pressure of the examinee for stopping the current in veins while keeping the current in arteries for helping to distinguish between veins and arteries.

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In paragraphs [0167] and [0199] of the cited Miele et al. publication (US 2002/0055680), Miele discloses that it is possible to apply pressure to an examinee that is enough to collapse veins, but not enough to collapse arteries, for helping to distinguish veins from arteries.

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Therefore, Miele's teaching is consistent with the disclosure of the present invention, which states that the pressure applied by the belt 31 stops the current in the veins while not stopping the current of blood flowing in arteries.

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In view of the above, the applicant respectfully submits that the disclosure of the instant application sufficiently enables the claims 1-5, and reconsideration of claims 1-5 is requested.

4. Rejection of claims 1-4 under 35 U.S.C. 102(b):

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Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Miele (US 2002/0055680).

Response:

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The applicant would like to point out how independent claims 1 and 3 are patentably distinguished from Miele.

Claims 1 and 3 each recite that pulse stress signals are applied to the examinee, and that the frequency of the pulse stress signals is different from the heartbeat

frequency of the examinee. The pulse stress signals having a different frequency than the heartbeat frequency of the examinee helps to distinguish between the two, and enables the measurements to be taken with minimal interference.

5 On the other hand, Miele does not teach or suggest that the frequency of the pulse stress signals is different from the heartbeat frequency of the examinee. Therefore, Miele does not anticipate all of the claimed limitations contained in claims 1 and 3.

10 In addition, claim 4 recites that the pulse stress signal is non-periodical. The Examiner has stated that Miele teaches this limitation in paragraph [0008], however, applicant did not see anything in paragraph [0008] or other sections of Miele suggesting that the pulse stress signal is non-periodical. Therefore, the applicant submits that claim 4 is patentable over the cited prior art.

15 Furthermore, claims 2 and 4 are dependent on claims 1 and 3, and should be allowed if their respective base claims are allowed. Reconsideration of claims 1-4 is therefore respectfully requested.

20 5. Rejection of claim 5 under 35 U.S.C. 103(a):

 Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miele (US 2002/0055680).

Response:

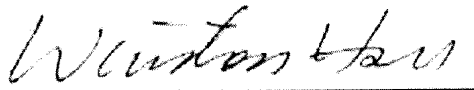
25 Claim 5 is dependent on claim 3, and should be allowed if claim 3 is allowed. Reconsideration of claim 5 is therefore respectfully requested.

Appl. No. 10/708,398
Amdt. dated December 12, 2006
Reply to Office action of November 03, 2006

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Sincerely yours,

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Winston Hsu, Patent Agent No. 41,526
P.O. BOX 506, Merrifield, VA 22116, U.S.A.
Voice Mail: 302-729-1562
Facsimile: 806-498-6673
e-mail : winstonhsu@naipo.com

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